

EXHIBIT E

**Arbitrator James M. Gaitis' Objection to, and Dissent
from, the Tribunal Majority's Final Award- Case No. 01-15-0004-
8503**

I object to, and I dissent from, the tribunal majority's Final Award.¹ This Objection and Dissent is based not only on my differing conclusions regarding the merits of the parties' dispute, but also on my belief and conclusion that the prehearing, hearing, and posthearing processes that led to the issuance of the Final Award have denied the Respondents in this proceeding the fundamental fairness and due process protections meant to be provided to arbitrating parties by Sections 10(a)(1), 10(a)(2), 10(a)(3), 10(a)(4), and Chapters 2 and 3 of the Federal Arbitration Act, 9 U.S.C. §1, *et seq.*

Dated this 28th day of June, 2018
Houston, Texas, USA


James M. Gaitis
Arbitrator

¹ In keeping with advice I have long-endorsed relating to the conduct of domestic and international commercial arbitrations in the United States, this Objection and Dissent is intended simply to generally advise the parties of the generic reasons why I cannot join in the Final Award. *See The College of Commercial Arbitrators Guide to Best Practices in Commercial Arbitration* (James M. Gaitis et al. eds. JURIS 4th ed. 2017) at 322 (stating that when arbitrators issue dissenting opinions they should do so “dispassionately and discreetly”); *The College of Commercial Arbitrators Guide to Best Practices in Commercial Arbitration* (James M. Gaitis et al. eds. JURIS 3rd ed. 2013) at 249 (same); *The College of Commercial Arbitrators Guide to Best Practices in Commercial Arbitration* (James M. Gaitis et al. eds. JURIS 2nd ed. 2010) at 184 (same). I emphasize that the brevity of this Objection and Dissent and the fact that I have not participated in the drafting of the tribunal majority's Final Award should not be interpreted to mean that I agree with any particular representation made in the Final Award, regardless of whether the pertinent representation pertains to the relevant substantive facts, the applicable law, or the procedural events (and nonevents) leading up to the issuance of the Final Award and this Objection and Dissent.